

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

By the current Amendment, claims 14 and 16-18 have been amended. Claims 14-23 remain drawn to the elected species and claim 14 remains generic for each species. Also, please note that claims 16, 17 and 18 have been amended to correct typographical errors therein.

The Examiner rejected claims 14, 15 and 18 under 35 U.S.C. § 103(a) as being unpatentable over WO '935. And, the Examiner indicated that claims 16, 17 and 19-23 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The indication of allowable subject matter is greatly appreciated; however, for reasons to follow it is respectfully submitted that claim 14 is allowable over WO '935, and thus the claims indicated as allowable by the Examiner have not been rewritten in independent form.

Claim 14, prior to the instant amendment, recited a method for monitoring a contaminated, dirty or inflammable condition **within an electrical consumer appliance**. In rejecting claim 14, the Examiner recognized that WO '935 does not disclose measuring dust in an electrical consumer appliance, and thus took the position that it would have been obvious to use the system of WO '935 in conjunction with an electrical consumer appliance in order to prevent build-up of dust in the appliance. This position taken by the Examiner is respectfully traversed for the following reasons.

WO '935 discloses a method for measuring an amount of dirt on a surface. A foil is inserted within a vacuum cleaning pipe, and vacuum cleaning of the surface for a predetermined period of time results in dust being collected on the foil. Thereafter, a measuring apparatus is used to measure the amount of dust collected on the foil. By measuring the amount of dust collected on the foil, the amount of dust on the surface can be determined. Although not specifically disclosed in WO '935, the surface is presumably a floor or carpet, or other easily accessible surface. One having ordinary skill in the art would not have been motivated to use the system of WO '935 in conjunction with internal components of an electrical appliance.

In this regard, as expressed previously, the system of WO '935 is used to determine the amount of dust on some type of easily accessible surface, whereas with regard to the instant

invention, a surface that is not easily accessible, i.e. a surface within an electrical appliance, is to be tested for an amount of dust thereon. It is respectfully submitted that one having ordinary skill in the art would not have been motivated to perform the method of WO '935 on an internal, or difficult to access, surface such as a surface within an electrical consumer appliance, when the only teaching in WO '935 is to measure the amount of dirt on an easily accessible surface such as a floor or wall or other large surface. There is no reason to believe that the method of WO '935 could be practiced on any surface other than a large easily accessible surface such as a floor, wall or the like. Accordingly, it is respectfully submitted that one having ordinary skill in the art would not have been motivated to use the system of WO '935 in conjunction with an internal surface of an electrical consumer appliance, whereby claim 14 is not obvious over WO '935. Thus, claim 14 prior to the instant amendment is allowable over WO '935.

Irrespective of the above, claim 14 has been amended so as to be further distinguished from WO '935. In this regard, claim 14 now requires that **the measurement device is located within the electrical consumer appliance**. Support for such an amendment can be found in the original specification at page 3, lines 5-6, for example.

In WO '935, the measurement device is **not** positioned within an electrical consumer appliance, nor would it have been obvious to provide the measurement device within an electrical consumer appliance since in WO '935 the amount of dust on a surface is determined not by direct measurement of dust on that surface, but rather by measuring characteristics of a foil that collect dust from the surface.

Accordingly, because an amount of dust on a surface in WO '935 is determined by measuring characteristics a foil that is separate and removed from the surface, were WO '935 somehow used to measure the amount of dust on a surface within an electrical consumer appliance, the measurement device would be positioned outside and separate from the appliance and **not** "within" the appliance. Accordingly, currently amended claim 14 is allowable over WO '935 for this additional reason.

In view of the above, it is respectfully submitted that the application is now in condition for allowance, with the allowed claims being 14-33, and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicant's undersigned representative by telephone to resolve such issues.

Respectfully submitted,

Lasse LEIRFALL

By:



Joseph M. Gorski
Registration No. 46,500
Attorney for Applicant

JMG/edg
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
October 22, 2003